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C O N F I D E N T I A L BAGHDAD 004403

SIPDIS

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TAGS: [KJUS](#) [PGOV](#) [PREL](#) [PTER](#) [IZ](#) [TU](#)

SUBJECT: IRAQI MOJ REQUESTS VISIT FROM TURKISH JUDGE

Classified By: Classified by David C. Litt, Political-Military Affairs Counselor, for Reasons 1.4 (b) and (d)

11. (C) Post and Coalition Forces continue to work with Iraqi authorities to expedite the extradition to Turkey of Sadettin Akdas and Burhan Kus. The ITG is itself unclear as to the correct procedures for the processing of extradition requests, and much effort has been expended on both sides in clarifying Iraqi procedures and attempting to bring the ITG to internal consensus on the way ahead.

12. (C) Both men have been convicted in Iraqi court for crimes involving illegal entry, are in Iraqi legal custody, and appear to be available for extradition under the terms of the existing Iraqi-Turkish extradition treaty. MNF-I has retained physical custody of both to ensure that no delay or complication will arise should the request be approved and extradition to Turkey be granted.

13. (C) On October 25th, MNF-I was informed by the Iraqi Minister of Justice that a visit to the Iraqi Attorney General by a Turkish judge able to explain the charges against Mr. Akdas and Mr. Kus would expedite their extradition. We are working to identify the Attorney General, whose existence was previously unknown even to some Iraqis working in this field.

14. (SBU) Post is not in a position to verify the MOJ's belief that the proposed visit would expedite extradition, as the written extradition procedures to which we are privy provide no formal role for the Iraqi Attorney General in this process. We pass on the MOJ's invitation regardless, for the consideration of Embassy Ankara and the GOT.

15. (SBU) (Note: in our understanding, the Iraqi extradition process contemplates a request to the MFA, which should transfer the request to the MOJ, which should pass the extradition package to a Court of Felony for it to consider, and decide whether to recommend extradition. As in U.S. practice, the Iraqi MFA, in consultation with the MOJ, can deny extradition even when a court has authorized it.)  
Satterfield